



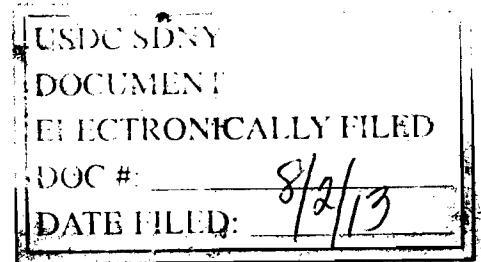
United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

August 1, 2013

**BY HAND**

Honorable Victor Marrero  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007



**Re: United States v. Lesniewski, 11 Cr. 1091 (VM)**

Dear Judge Marrero:

As discussed in Court yesterday, in streamlining its case at trial, the Government has elected not to proceed on certain counts charged in the S14 Indictment. The below table shows the counts of the S14 Indictment, a description of the Count, where applicable a reference showing that the Government has elected not to proceed on the Count, and a listing showing the re-numbering of the Counts in the redacted Indictment.

S14 Count No.	Description	If applicable, dropped Count	Count No. in Redacted Indictment
1	Lesniewski, Baran, Rutigliano 1349 Conspiracy		1
2	Baran, Rutigliano, Ajemian 1349 Conspiracy		2
3	Lesniewski, Baran, Rutigliano 371 Conspiracy		3
4	Baran, Rutigliano, Ajemian 1349 Conspiracy		4
5	Rutigliano, Brittell health care fraud	Dropped	
6	Rutigliano, Bianchini health care fraud	Dropped	
7	Lesniewski, Gagliano health care fraud		5
8	Lesniewski, Supper health care fraud		6
9	Rutigliano, Dasaro health care fraud	Dropped	

10	Baran, Walsh health care fraud		7
11	Baran, Stavola health care fraud		8
12	Baran, Pulsonetti health care fraud	Dropped	
13	Baran, Walsh mail fraud		9
14	Rutigliano, Dasaro mail fraud	Dropped	
15	Rutigliano, Maher mail fraud		10
16	Baran, Pulsonetti mail fraud	Dropped	
17	Rutigliano, Bianchini mail fraud	Dropped	
18	Baran, Stavola mail fraud		11
19	Lesniewski, Rutigliano mail fraud		12
20	Lesniewski, Rutigliano, Parlante mail fraud		13
21	Rutigliano, Brittell mail fraud	Dropped	
22	Lesniewski, Rutigliano wire fraud		14
23	Rutigliano, Bianchini wire fraud	Dropped	
24	Rutigliano, Maher wire fraud		15
25	Rutigliano, Brittell wire fraud	Dropped	
26	Lesniewski, Rutigliano, Parlante wire fraud		16
27	Lesniewski, Gagliano wire fraud		17
28	Baran, Walsh wire fraud		18
29	Rutigliano, Dasaro wire fraud	Dropped	
30	Lesniewski, Supper wire fraud		19
31	Baran, Pulsonetti wire fraud	Dropped	
32	Baran, Stavola wire fraud		20
33	Rutigliano false statements		21

The Government will move to dismiss the Counts listed above as "dropped" in open Court.

Very truly yours,

PREET BHARARA  
United States Attorney

By: /s/ Justin S. Weddle  
JUSTIN S. WEDDLE  
NICOLE FRIEDLANDER  
DANIEL B. TEHRANI  
Assistant United States Attorneys  
212-637-2211/2312/2455

Cc: Defense counsel (by email)

The Clerk of Court is directed to enter into the public record of this action the letter above submitted to the Court by	
<u>The Government</u>	
SO ORDERED.	
<u>8-1-13</u>	<u>[Signature]</u>
DATE	VICTOR MARRERO, U.S.D.J.